

TIMOTHY C. FOX
Montana Attorney General
JON BENNION
Deputy Attorney General
DALE SCHOWENGERDT
Solicitor General
MATTHEW T. COCHENOUR
Assistant Attorney General
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401
Phone: 406-444-2026
Fax: 406-444-3549
jonbennion@mt.gov
dales@mt.gov
mcochenour2@mt.gov

RECEIVED

MAY 14 2018

Clerk, U.S. Courts
District of Montana
Missoula Division

COUNSEL FOR INTERVENOR

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

TANYA GERSH, Plaintiff, v. ANDREW ANGLIN, Defendant.	Case No. CV 17-50-M-DLC-JCL MEMORANDUM OF LAW IN SUPPORT OF UNOPPOSED MOTION TO INTERVENE AS A MATTER OF RIGHT
--	--

The Montana Attorney General has the right to intervene in cases involving constitutional challenges to Montana statutes. Fed. R. Civ. P. 5.1(c). The Attorney General may intervene within 60 days from the date a party files a notice of a constitutional challenge. *Id.*

On April 30, 2018, Defendant Andrew Anglin filed a notice that he has challenged the constitutionality of Mont. Code Ann. § 27-1-1503(2). Doc. 80. Pursuant to Fed. R. Civ. P. 5.1(c), the Attorney General has determined to intervene in this case for the limited purpose of defending the constitutionality of Mont. Code Ann. § 27-1-1503(2). The Attorney General's motion is timely and should be granted pursuant to Fed. R. Civ. P. 5.1(c).

Respectfully submitted this 11th day of May, 2018.

TIMOTHY C. FOX
Montana Attorney General
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401

By: Matthew T. Cochenour
Matthew T. Cochenour
Assistant Attorney General
Counsel for Intervenor

CERTIFICATE OF SERVICE

I hereby certify that on this date I caused a true and accurate copy of the foregoing document to be mailed to:

John Morrison
Robert Farris-Olsen
Morrison, Sherwood, Wilson &
Deola, PLLP
401 N. Last Chance Gulch
Helena, MT 59601

Morris Dees
J. Richard Cohen
David C. Dinielli
James M. Knoepp
Southern Poverty Law Center
400 Washington Avenue
Montgomery, AL 36104

Marc J Randazza
Randazza Legal Group, PLLC
4035 S. El Capitan Way
Las Vegas, NV 89147

Jay M. Wolman
Randazza Legal Group, PLLC
199 Pearl Street, 14th Floor
Hartford, CN 06103

Mathew M. Stevenson
Stevenson Law Office
1120 Kensington
Suite B
Missoula, MT 59801

DATED: May 11, 2018

By: Matthew T. Cochenour
Matthew T. Cochenour
Assistant Attorney General